

**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

In re: SMITH, JOHN H

§ Case No. 05-63841

§

§

Debtor(s)

§

**NOTICE OF TRUSTEE'S FINAL REPORT AND  
APPLICATIONS FOR COMPENSATION  
AND DEADLINE TO OBJECT (NFR)**

Pursuant to Fed. R. Bankr. P.2002(a)(6) and 2002(f)(8), please take notice that DAVID P. LEIBOWITZ, trustee of the above styled estate, has filed a Final Report and the trustee and the trustee's professionals have filed final fee applications, which are summarized in the attached Summary of Trustee's Final Report and Applications for Compensation.

The complete Final Report and all applications for compensation are available for inspection at the Office of the Clerk, at the following address:

219 S. Dearborn  
Chicago, IL 60604

Any person wishing to object to any fee application that has not already been approved or to the Final Report, must file a written objection within 21 days from the mailing of this notice, serve a copy of the objections upon the trustee, any party whose application is being challenged and the United States Trustee. A hearing on the fee applications and any objection to the Final Report will be held at 10:30am on 06/24/2010 in Courtroom 682, United States Courthouse, Everett McKinley Dirksen United States Courthouse  
219 South Dearborn Street  
Chicago, IL 60604 .

If no objections are filed, upon entry of an order on the fee applications, the trustee may pay dividends pursuant to FRBP 3009 without further order of the Court.

Date Mailed: 05/18/2010

By: /s/DAVID P. LEIBOWITZ

Trustee

DAVID P. LEIBOWITZ  
420 W. Clayton Street  
Waukegan, IL 60085-4216  
(847) 249-9100  
trustee@lakelaw.com

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

In re: SMITH, JOHN H

§ Case No. 05-63841

§

§

Debtor(s)

§

SUMMARY OF TRUSTEE'S FINAL REPORT  
AND APPLICATIONS FOR COMPENSATION

The Final Report shows receipts of \$ 25,002.07  
and approved disbursements of \$ 0.00  
leaving a balance on hand of <sup>1</sup> \$ 25,002.07

Claims of secured creditors will be paid as follows:

Claimant

Proposed Payment

N/A

Applications for chapter 7 fees and administrative expenses have been filed as follows:

| Reason/Applicant                      | Fees                | Expenses           |
|---------------------------------------|---------------------|--------------------|
| Trustee <u>DAVID P. LEIBOWITZ</u>     | \$ <u>3,250.21</u>  | \$ <u>500.70</u>   |
| Attorney for trustee <u>Lakelaw</u>   | \$ <u>14,447.00</u> | \$ <u>1,554.16</u> |
| Appraiser _____                       | \$ _____            | \$ _____           |
| Auctioneer _____                      | \$ _____            | \$ _____           |
| Accountant _____                      | \$ _____            | \$ _____           |
| Special Attorney for trustee _____    | \$ _____            | \$ _____           |
| Charges, <u>U.S. Bankruptcy Court</u> | \$ <u>250.00</u>    | \$ _____           |
| Fees, <u>United States Trustee</u>    | \$ _____            | \$ _____           |
| Other _____                           | \$ _____            | \$ _____           |

Applications for prior chapter fees and administrative expenses have been filed as follows:

Reason/Applicant

Fees

Expenses

<sup>1</sup> The balance of funds on hand in the estate may continue to earn interest until disbursed. The interest earned prior to disbursement will be distributed pro rata to creditors within each priority category. The trustee may receive additional compensation not to exceed the maximum compensation set forth under 11 U.S.C. § 326(a) on account of the disbursement of the additional interest.

|                     |       |          |          |
|---------------------|-------|----------|----------|
| Attorney for debtor | _____ | \$ _____ | \$ _____ |
| Attorney for        | _____ | \$ _____ | \$ _____ |
| Accountant for      | _____ | \$ _____ | \$ _____ |
| Appraiser for       | _____ | \$ _____ | \$ _____ |
| Other               | _____ | \$ _____ | \$ _____ |

In addition to the expenses of administration listed above as may be allowed by the Court, priority claims totaling \$34,833.82 must be paid in advance of any dividend to general (unsecured) creditors.

Allowed priority claims are:

| Claim Number | Claimant  | Allowed Amt. of Claim | Proposed Payment |
|--------------|---|-----------------------|------------------|
|              | Department of the<br>Treasury-Internal Revenue<br>Service |                       |                  |
| 4P           | _____   | \$ 34,833.82          | \$ 5,000.00      |

The actual distribution to wage claimants included above, if any, will be the proposed payment less applicable withholding taxes (which will be remitted to the appropriate taxing authorities).

Timely claims of general (unsecured) creditors totaling \$ 23,100.32 have been allowed and will be paid *pro rata* only after all allowed administrative and priority claims have been paid in full. The timely allowed general (unsecured) dividend is anticipated to be 0.0 percent.

Timely allowed general (unsecured) claims are as follows:

| Claim Number | Claimant                               | Allowed Amt. of Claim | Proposed Payment |
|--------------|--|-----------------------|------------------|
| 1            | PREMIER BANKCARD                       | \$ 433.80             | \$ 0.00          |
| 2            | CAPITAL ONE AUTO<br>FINANCE DEPARTMENT | \$ 22,003.51          | \$ 0.00          |
| 3            | TCF NATIONAL BANK                      | \$ 663.01             | \$ 0.00          |

Tardily filed claims of general (unsecured) creditors totaling \$ 5,047.09 have been allowed and will be paid pro rata only after all allowed administrative, priority and timely filed general (unsecured) claims have been paid in full. The tardily filed claim dividend is anticipated to be 0.0 percent.

Tardily filed general (unsecured) claims are as follows:

| <i>Claim Number</i> | <i>Claimant</i>  | <i>Allowed Amt. of Claim</i> | <i>Proposed Payment</i> |
|---------------------|--|------------------------------|-------------------------|
| <u>4U</u>           | <u>Department of the<br/>Treasury-Internal Revenue<br/>Service</u> | <u>\$ 5,047.09</u>           | <u>\$ 0.00</u>          |

Subordinated unsecured claims for fines, penalties, forfeitures, or damages and claims ordered subordinated by the Court totaling \$ 0.00 have been allowed and will be paid pro rata only after all allowed administrative, priority and general (unsecured) claims have been paid in full. The dividend for subordinated unsecured claims is anticipated to be 0.0 percent.

Subordinated unsecured claims for fines, penalties, forfeitures or damages and claims ordered subordinated by the Court are as follows:

| <i>Claim Number</i> | <i>Claimant</i> | <i>Allowed Amt. of Claim</i> | <i>Proposed Payment</i> |
|---------------------|-----------------|------------------------------|-------------------------|
|                     | N/A             |                              |                         |

The amount of surplus returned to the debtor after payment of all claims and interest is \$0.00.

Prepared By: /s/DAVID P. LEIBOWITZ  
Trustee

DAVID P. LEIBOWITZ  
420 W. Clayton Street  
Waukegan, IL 60085-4216  
(847) 249-9100  
trustee@lakelaw.com

**STATEMENT:** This Uniform Form is associated with an open bankruptcy case, therefore, Paperwork Reduction Act exemption 5 C.F.R. § 1320.4(a)(2) applies.

# Certificate of Service Page 5 of 5

# CERTIFICATE OF NOTICE

District/off: 0752-1  
Case: 05-63841

User: froman  
Form ID: pdf006

Page 1 of 1  
Total Noticed: 31

Date Rcvd: May 19, 2010

The following entities were noticed by first class mail on May 21, 2010.

db +John H Smith, 2121 W 72nd Street, Chicago, IL 60636-3658  
aty +Carl B Boyd, Starks & Boyd P C, 11528 South Halsted Street, Chicago, IL 60628-5218  
aty +Sharanya Gururajan, Leibowitz Law Center, 420 West Clayton Street, Waukegan, IL 60085-4216  
tr +David P Leibowitz, ESQ, Leibowitz Law Center, 420 Clayton Street, Waukegan, IL 60085-4216  
10504286 +ACMC Physician Services, C/O Illinois Collection Service, P O Box 646,  
Oak Lawn, IL 60454-0646  
10616907 Advocate Christ Hospital, 22091 Network Place, Chicago, IL 60673-1220  
10616908 +Advocate Christ Hospital, c/o Harris & Harris, 600 W Jackson Suite 400,  
Chicago, IL 60661-5675  
10616909 +Buschbach Ins Agency, c/o I C System Inc, POB 64378, St Paul, MN 55164-0378  
10504287 +CVS Drugs, C/O TRS Recovery Services, Inc., P O Box 60022, City of Industry, CA 91716-0022  
11680488 +Carson's Pirie Scott, retail Service, P O Box 17264, Baltimore, MD 21297-1264  
10616912 Chist Hospital & Medical, c/o NCO Financial, PO Box 13570, Philadelphia, PA 19101  
10504289 +Christ Family Practice Center, C/O Collection Services, P O Box 27901,  
West Allis, WI 53227-0901  
10616911 Christ Hospital & Medical, 22091 Network Place, Chicago, IL 60673-1220  
10616913 City Of Chicago Dept of, PO Box 6330, Chicago, IL 60680-6330  
10616915 +Enterprise Rent A Car, 7518 W 98th Place, Bridgeview, IL 60455-2312  
10616914 Enterprise Rent A Car, State Farm Insurance Corp, 2702 Ireland Grove Road, POB 2310,  
Blomington, IL 61702-2310  
10504291 +First Premier Bank, 900 W. Delaware, P O Box 5519, Sioux Falls, SD 57117-5519  
10504292 ++INTERNAL REVENUE SERVICE, CENTRALIZED INSOLVENCY OPERATIONS, PO BOX 21126,  
PHILADELPHIA PA 19114-0326  
(address filed with court: Department of the Treasury-Internal Revenue Servic,  
Centralized Insolvency Operations, P O Box 21126, Philadelphia, PA 19114)  
10616916 +MCI Communications, Consumer Markets, 3470 Rider Trail South, Earth City, MO 63045-1109  
11680489 +Macy's, P O Box 689195, Des Moines, IA 50368-9195  
10504293 +Orozco and Daughter, 13118 Western Avenue, Blue Island, IL 60406-2409  
10616917 +Park Danson, PO Box 245, Gastonia, NC 28053-0245  
11680490 +Payday Loan Service, 154 N Wabash, Chicago, IL 60601-3606  
10504294 +Peoples Energy, Attn: Bankruptcy Dept., Chicago, IL 60687-0001  
10726509 +Premier Bankcard, Premier/CSI-Dept SDR, PO Box 2208, Vacaville, CA 95696-8208  
11680491 +Sallie Mae Servicing, P O box 9532, Wilkes-Barre, PA 18773-9532  
10616918 +Sprint PCS, c/o West Asset Management, PO Box 2348, Sherman, TX 75091-2348  
10616919 +TCF National Bank, c/o Heller & Frisone, 33 N LaSalle St Suite, Chicago, IL 60602-2603  
10616920 +USA One National Credit U, 4749 Lincoln Mall, Matteson, IL 60443-2348

The following entities were noticed by electronic transmission on May 19, 2010.

10504288 +E-mail/PDF: ebnnotices@ascensioncapitalgroup.com May 20 2010 02:10:21  
Capital One Auto Finance Department, c/o Ascension Capital Group, PO Box 201347,  
Arlington, TX 76006-1347  
10504290 +E-mail/Text: legalcollections@comed.com Comed, Bill Payment Center,  
Chicago, IL 60668-0001

TOTAL: 2

\*\*\*\*\* BYPASSED RECIPIENTS (undeliverable, \* duplicate) \*\*\*\*\*

aty Chaya D Williams  
aty\* +David P Leibowitz, ESQ, Leibowitz Law Center, 420 Clayton Street, Waukegan, IL 60085-4216  
10616910\* +CVS Drugs, c/o TRS Recovery Services, POB 60022, City of Industry, CA 91716-0022  
TOTALS: 1, \* 2

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

Addresses marked '++' were redirected to the recipient's preferred mailing address  
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 9): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: May 21, 2010

Signature:

